

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:
ALEXIS SANTOS RIVERA
MARIA SOCORRO CRUZ VELAZQUEZ

DEBTOR (S)

CASE NO. 11-00926-MCF

CHAPTER 13

**TRUSTEE'S UNFAVORABLE REPORT
ON PROPOSED POST CONFIRMATION PLAN MODIFICATION**

TO THE HONORABLE COURT: NOW COMES, José R. Carrión, Chapter 13 Trustee, and very respectfully alleges and prays:

This is the Trustee's position regarding the request, under **11 U.S.C. §1329**, for the confirmation of a Chapter 13 Plan.

Debtor(s)' Income: **Above Median / 60 months commitment period.** Gen Unsecured Pool: **\$0.00**

The **LIQUIDATION VALUE** of the estate has been determined in **\$10,347.00 R2016 STM. \$3,000.00**

TOTAL ATTORNEYS FEES THRU PLAN: \$2,874.00 Fees paid: \$1,294.55 Fees Outstanding: \$1,579.45
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With respect to the proposed (amended) Plan dated: **8/16/2011** (Dkt 32). Plan Base: **22,800.00**

The proposed (amended) plan can not be confirmed because it has the following deficiencies:

- Insufficiently Funded : Fails CREDITORS' BEST INTEREST TEST [§1325(a)(4)]

Liquidation Value present value at 6% = \$12,002. Plan needs funds to cover payments for \$22,450.53, hence minimum base after adding trustee fee is \$24,945. The proposed plan is short by (\$2,145).

- Feasibility [§1325(a)(6)]

Debtor is one month in default – August 2011 for \$300.

Due to the above described deficiencies in the proposed plan the Trustee Objects to the Confirmation of the same .

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(s), and to her/his/their attorney through CM-ECF notification system.

In San Juan, Puerto Rico this September 02, 2011.

/s/ Jose R. Carrion

JOSE R. CARRION

CHAPTER 13 TRUSTEE

PO Box 9023884, San Juan, PR 00902-3884

Tel. (787) 977-3535 Fax (787) 977-3550

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